

**SUMMARY SHEET – RIGHTS OF WAY APPLICATIONS**

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**AFFECTED GRANTS AND PROPOSED INCOME:**

Common Schools:	\$48,989
School for Deaf & Blind	\$ 7,486

**AFFECTED COUNTIES:** Cascade, Dawson, Flathead, Garfield, Golden Valley, Madison,  
Treasure, Wheatland

# **Rights of Way Applications**

## **August 16, 2010**

### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant:	Richard Chartier, Ernest Chartier & Marilyn Chartier 438 East Hunter Road Sand Coulee MT 59472
Application No.:	12414 (Amended)
R/W Purpose:	a private access road to conduct normal farming and ranching operations and for management of timber resources
Lessee Agreement:	N/A (Historic)
Acreage:	2.8
Compensation:	\$840.00
Legal Description:	14-foot strip through NW4NE4, SW4SW4, Gov. Lots 1, 4, 5 & 6, Sec. 16, Twp. 16N, Rge. 4E, Cascade County
Trust Beneficiary:	Common Schools
Classification:	III



Application received pursuant to §77-1-130, MCA. Applicants received approval in 2004 for a 30-foot roadway. They did not pay the compensation due so did not receive an official easement. Over the past few years there has been a change in ownership of the property due to death and a Contract for Deed. Applicant asked to have their easement amended to a 14-foot width and to recognize new parties to the application.

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# **Rights of Way Applications**

## **August 16, 2010**

### **APPLICANTS AND RIGHTS OF WAY INFORMATION**

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Applicant:	Montana Department of Fish, Wildlife & Parks P O Box 200701 Helena MT 59620-0701
Application No.:	15026 (Amended)
R/W Purpose:	a public fishing access site known as the Damselfly FAS
Lessee Agreement:	ok
Acreage:	2.25
Compensation:	\$39,375.00
Legal Description:	Tract in Gov. Lots 1 & 4, Sec. 36, Twp. 2S, Rge. 1E, Madison County
Trust Beneficiary:	Common Schools
Classification:	III



This application was previously approved by the Board in January. Applicant requested to limit funds payable to \$39,000 so the Department required the area of the easement be reduced to accommodate such a request. The Department recommends approval of the amended area and request.

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# **Rights of Way Applications**

## **August 16, 2010**

### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant:	Mark K & Monique E Boling 2350 N Sam Houston Pkwy E., Suite 125 Houston TX 77032
Application No.:	15281
R/W Purpose:	a buried electric distribution line and a buried telecommunications line
Lessee Agreement:	N/A (Unleased)
Acreage:	1.3
Compensation:	\$7,486.00
Legal Description:	10-foot strip through S2SW4, SW4SE4, Sec. 21, Twp. 28N, Rge. 19W, Flathead County
Trust Beneficiary:	School for Deaf & Blind
Classification:	III



Applicant has requested utility services to private lands they own adjacent to the state land. The most economical and feasible route to provide such service is alongside an existing county road. Impacts will be minimal. The Department recommends approval.

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# **Rights of Way Applications**

## **August 16, 2010**

### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant:	Harbaugh Ranch Co. P O Box 330 Jordan MT 59337
Application No.:	15282
R/W Purpose:	a private access road to a single-family residence and associated outbuildings and for conducting normal farming and ranching operations
Lessee Agreement:	N/A (Historic)
Acreage:	3.64
Compensation:	\$637.00
Legal Description:	30-foot strip through N2NE4, SE4NE4, N2SE4, SW4SE4, Sec. 16, Twp. 18N, Rge. 39E, Garfield County
Trust Beneficiary:	Common Schools
Classification:	III



Application is made pursuant to §77-1-130, Historic Rights of Way.

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# **Rights of Way Applications**

## **August 16, 2010**

### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant:	Montana Department of Transportation P O Box 201001 Helena MT 59620-1001
Application No.:	15283
R/W Purpose:	highway construction and maintenance, including occupancy by public utilities as defined in §69-4-1-1, MCA
Lessee Agreement:	ok
Acreage:	0.62
Compensation:	\$496.00
Legal Description:	Tract in E2SE4, Sec. 36, Twp. 10N, Rge. 15E, Wheatland County
Trust Beneficiary:	Common Schools
Classification:	III



Application is made to reconstruct portions of US Highway 91 north of Harlowtown to Judith Gap. The Department recommends approval.

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# **Rights of Way Applications**

## **August 16, 2010**

### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant:	Montana Department of Transportation P O Box 201001 Helena MT 59620-1001
Application No.:	15284
R/W Purpose:	construction, operation and maintenance of snow fence facilities associated with highway construction and maintenance
Lessee Agreement:	ok
Acreage:	2.39
Compensation:	\$1,912.00
Legal Description:	Tract in E2SE4, SE4NE4, Sec. 36, Twp. 10N, Rge. 15E, Wheatland County
Trust Beneficiary:	Common Schools
Classification:	III



This application is associated with the Harlowtown-Judith Gap US Highway 91 rebuild and will allow for the construction of snow fence on state land. The Department recommends approval.

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# **Rights of Way Applications**

## **August 16, 2010**

### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant:	Mid-Yellowstone Electric Cooperative, Inc. P O Box 386 Hysham MT 59038
Application No.:	15285
R/W Purpose:	a 34.5 kV overhead electric transmission line and a 7.2 kV overhead electric distribution line
Lessee Agreement:	N/A (Historic)
Acreage:	1.4
Compensation:	\$630.00
Legal Description:	20-foot strip through N2NW4, Sec. 16, Twp. 6N, Rge. 37E, Treasure County
Trust Beneficiary:	Common Schools
Classification:	III



Application is made pursuant to §77-1-130, Historic Rights of Way.

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# **Rights of Way Applications**

## **August 16, 2010**

### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant:	Mid-Yellowstone Electric Cooperative, Inc. P O Box 386 Hysham MT 59038
Application No.:	15286
R/W Purpose:	a 7.2 kV overhead electric distribution line
Lessee Agreement:	N/A (Historic)
Acreage:	1.29
Compensation:	\$290.00
Legal Description:	20-foot strip through Gov. Lots 3 & 7, Sec. 16, Twp. 3N, Rge. 38E, Treasure County
Trust Beneficiary:	Common Schools
Classification:	III



Application is made pursuant to §77-1-130, Historic Rights of Way.

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## **Rights of Way Applications**

### **August 16, 2010**

#### **APPLICANTS AND RIGHTS OF WAY INFORMATION**

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Applicant:	BNSF Railway Company 2500 Lou Menk Drive – AOB-3 Forth Worth TX 76131
Application No.:	15287
R/W Purpose:	a common carrier rail line
Lessee Agreement:	ok
Acreage:	5.53
Compensation:	\$2,489.00
Legal Description:	200-foot strip through NW4NW4, SE4NW4, Sec. 12, Twp. 7N, Rge. 19E, Golden Valley County
Trust Beneficiary:	Common Schools
Classification:	III



In processing a request for sale of this section of state land through Land Banking it was determined that the existing BNSF rail line, constructed in the early 1900's, was inadvertently not permitted. The State sold strips of land to the BNSF's predecessor in interest, Chicago, Milwaukee and St. Paul Railway, through cash sale procedures in 1916 for a large number of state trust land sections in the area for rail line purposes. The small crossing of this section of land was apparently left out of the sale. In the Land Banking program individuals using roads on state lands nominated for sale are encouraged to apply for an easement prior to finalization of the sale of the lands. In this case, the Department felt that BNSF should be granted the opportunity afforded to private landowners to perfect their "access". The Department recommends approval of this request.

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# **Rights of Way Applications**

## **August 16, 2010**

### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant:	Dawson County 207 W Bell Glendive MT 59330
Application No.:	15288
R/W Purpose:	a public county road
Lessee Agreement:	N/A (Historic)
Acreage:	2.30
Compensation:	\$288.00
Legal Description:	60-foot strip through E2SW4, Sec. 6, Twp. 13N, Rge. 57E, Dawson County
Trust Beneficiary:	Common Schools
Classification:	III



Application is made pursuant to §77-1-130, Historic Rights of Way.

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# **Rights of Way Applications**

## **August 16, 2010**

### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant:	Dawson County 207 W Bell Glendive MT 59330
Application No.:	15289
R/W Purpose:	a public county road
Lessee Agreement:	N/A (Historic)
Acreage:	0.69
Compensation:	\$100.00
Legal Description:	60-foot strip through SE4NE4, Sec. 16, Twp. 14N, Rge. 56E, Dawson County
Trust Beneficiary:	Common Schools
Classification:	III



Application is made pursuant to §77-1-130, Historic Rights of Way.

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# **Rights of Way Applications**

## **August 16, 2010**

### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant:	Dawson County 207 W Bell Glendive MT 59330
Application No.:	15290
R/W Purpose:	a public county road
Lessee Agreement:	N/A (Historic)
Acreage:	2.07
Compensation:	\$259.00
Legal Description:	60-foot strip through SW4SW4, Sec. 16, Twp. 13N, Rge. 57E, Dawson County
Trust Beneficiary:	Common Schools
Classification:	III



Application is made pursuant to §77-1-130, Historic Rights of Way.

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## **Rights of Way Applications**

### **August 16, 2010**

#### **APPLICANTS AND RIGHTS OF WAY INFORMATION**

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Applicant:	Dawson County 207 W Bell Glendive MT 59330
Application No.:	15291
R/W Purpose:	a public county road
Lessee Agreement:	N/A (Historic)
Acreage:	9.06
Compensation:	\$1,133.00
Legal Description:	60-foot strip through SW4NW4, N2SW4, N2SE4, Sec. 36, Twp. 15N, Rge. 55E, Dawson County
Trust Beneficiary:	Common Schools
Classification:	III



Application is made pursuant to §77-1-130, Historic Rights of Way.

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## **Rights of Way Applications**

### **August 16, 2010**

#### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant:	Richard Chartier, Ernest Chartier, Marilyn Chartier, James D Lenihan, Thomas L Lenihan & Robert D Lenihan 438 East Hunter Road Sand Coulee MT 59472
Application No.:	15292
R/W Purpose:	a private access road to conduct normal farming and ranching operations and for management of timber resources
Lessee Agreement:	N/A (Historic)
Acreage:	1.8
Compensation:	\$540.00
Legal Description:	14-foot strip through SW4NE4, NE4SW4, S2SW4, Sec. 36, Twp. 17N, Rge. 4E, Cascade County
Trust Beneficiary:	Common Schools
Classification:	III



Application is made pursuant to §77-1-130, Historic Rights of Way. This application is in conjunction with Application #12414 (Amended) described above.

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